

EXHIBIT 28

Expert Report

Criteria for Layoffs and Gender Disparities in Citigroup's Public Finance Department: The case of Amy Bartoletti, Chia Siu, Nadine Mentor, Lisa Conley, and Brittany Sharpton v. Citigroup Inc. and Citigroup Global Markets Inc.

By Louise Marie Roth

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million in employee compensation,⁴ with no specific criteria for how to make decisions and no apparent oversight concerning Equal Employment Opportunity and Affirmative Action (EEO/AA) compliance.

Lack of Formal Criteria for Inclusion in the RIF

21. When asked if he had given group heads criteria for determining candidates for the November 2008 RIF, David Brownstein said, “We had several requirements for economics, and so we would have shared downstream how the economics needed to work in order for us to fulfill our requirement to the firm” (Brownstein depo., pp. 57-58). According Francis Chin’s deposition, the strategy for achieving this goal was to charge the group heads with giving them feedback on whom to lay off by giving him names of their “weakest performers” (Chin depo., p. 37). Brownstein confirmed this strategy, saying, “My expectation was that they provided us with the names of people who could have the least impact on their ability to run their business properly” (Brownstein depo., p. 67). However, by asking the group heads to select people that they could live without, and giving them no details about how to evaluate the value of their employees or how many people they would need to cut, Brownstein and Chin left it up to the group heads to select people for termination without *any formal criteria* (Chin depo., p. 89, p. 159). Francis Chin said, “I told them I wanted them to find out who they felt they could live without. I told them compensation is an important consideration” (Chin depo., p. 159). David Brownstein also said explicitly, “I had no expectation on what they would take into account to accomplish the goal they needed to for us” (Brownstein depo., p. 68). Thus, the main criterion that concerned the senior managers was meeting their budget target, which they could have met in a variety of ways. Their method for meeting this target involved giving vague directives to group heads to select names for inclusion in the RIF based on subjective determinations of who constituted their “weakest performers” or whom they could “live without.”

22. To achieve this objective, Chin and Brownstein did not give most group heads a dollar figure to cut or a specific number of names to offer for layoff (Chin depo., pp. 38-39, pp.

⁴ When asked what the budget was, Francis Chin said, “I don’t recall the number, but I think it was below 20, but it was a pretty high number in my estimation” (Chin depo., p. 29). See also Chin depo., p. 30: “We were given an ask of \$20 million and see – and ask who would we RIF to meet that budget.”